

Memorandum



Date: September 20, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 5(D)

From: Jack Osterholt
Director, Department of Regulatory and Economic Resources

Subject: Resolution Approving the Plat of 46th Street FD

Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners (Board) for approval. This plat for 46th Street FD is bounded on the north by NW 47 Street, on the east approximately 425 feet west of NW 25 Avenue, on the south by NW 46 Street, on the west by NW 27 Avenue.

The Miami-Dade County Plat Committee recommends approval of this plat. The Plat Committee is comprised of representatives from:

- Florida Department of Transportation;
- Florida Department of Health;
- Miami-Dade County School Board; and
- Miami-Dade County Departments of Fire Rescue; Parks, Recreation and Open Spaces; Regulatory and Economic Resources; Transportation and Public Works; and Water and Sewer.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Department of Regulatory and Economic Resources.

Scope

This plat is located in Commission District 3, which is represented by Commissioner Audrey M. Edmonson.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately \$100.00 per year for the maintenance of pavement, gutter and sidewalks once constructed adjacent to the project. These costs would be covered by the Department of Transportation and Public Works' annual General Fund allocation.

Track Record/Monitor

The Development Services Division of the Department of Regulatory and Economic Resources administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background

46th Street FD (T-23665)

- Located in Section 22, Township 53 South, Range 41 East
- Zoning: MCUCD
- Proposed Usage: commercial
- Number of parcels: one (1)
- This plat meets concurrency.

Plat Restrictions

- That Avenue and Streets, as illustrated on the plat, together with all existing and future plantings, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to the dedicators, their successors or assigns the reversion or reversions thereof, whenever discontinued by law.
- That individual wells shall not be permitted within this subdivision except for swimming pools, sprinkler systems and/or air conditioners.
- That the use of septic tanks will not be permitted within this subdivision unless approved for temporary use in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision shall be installed underground.
- That the utility easements, depicted by dashed lines on the plat, are reserved for the installation and maintenance of public utilities.

Developer's Obligation

- Mobilization, clearing, paving, maintenance of traffic, paving, sidewalk, curb and gutter, valley gutter, traffic control signs, landscaping, and monumentation, which are bonded under bond number 7985 in the amount of \$21,003.00.



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)
9-20-16

RESOLUTION NO. _____

RESOLUTION APPROVING THE PLAT OF 46TH STREET FD, LOCATED IN THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 47 STREET, ON THE EAST APPROXIMATELY 425 FEET WEST OF NW 25 AVENUE, ON THE SOUTH BY NW 46 STREET, ON THE WEST BY NW 27 AVENUE)

WHEREAS, Boos-46th Miami, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as 46th Street FD, the same being a replat of a portion of Lot 4, of "The Wilson Estate", according to the plat thereof, as recorded in Plat Book 39, at Page 3, and Lots 1, 2 and 3, Block 1, of "Largaespada Homes", according to the plat thereof as, as recorded in Plat Book 167, Page 72, both of the Public Records of Miami, Dade County, Florida, lying and being in the Northwest 1/4 of Section 22, Township 53 South, Range 41 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this plat conform to those requirements.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

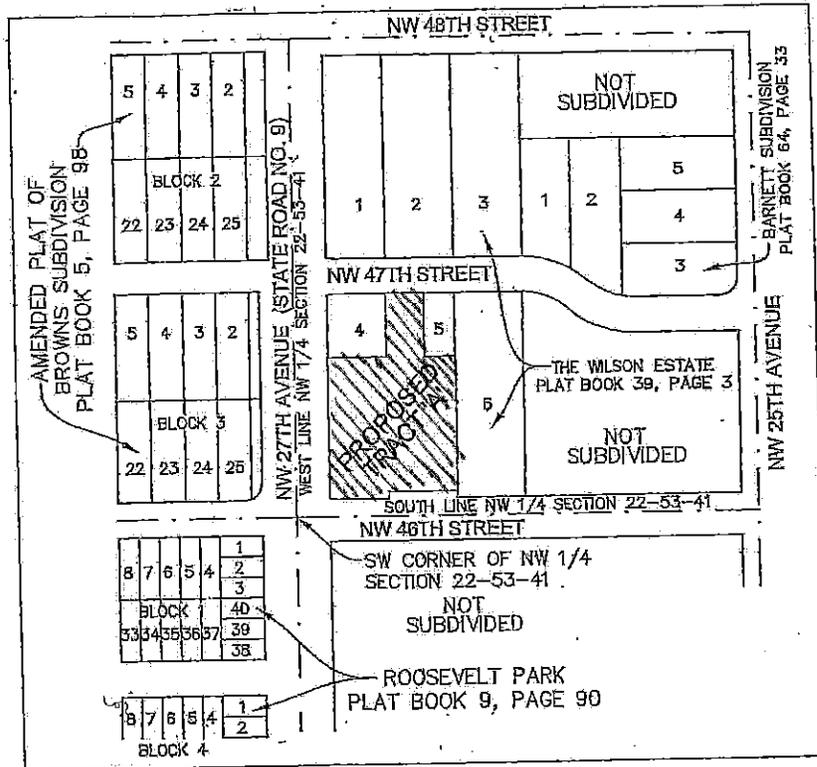
Approved by County Attorney as
to form and legal sufficiency.



Lauren E. Morse

46TH STREET FD (T-23665)

Sec. 22, Twp. 53 S., Rge. 41 E



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